

LR68-AR1-701 PLAN FOR CASELOAD ALLOCATION

(A) CIRCUIT COURT. The following cases shall be filed solely in the Randolph Circuit Court:

1. Murder (MR);
2. Mental Health (MH);
3. Adoption (AD);
4. Estate Supervised (ES);
5. Estate, Unsupervised (EU);
6. Guardianship (GU);
7. Trust (TR);
8. Juvenile CHINS (JC);
9. Juvenile Delinquency (JD);
10. Juvenile Status (JS);
11. Juvenile Termination of Parental Rights (JT);
12. Juvenile Paternity (JP); and
13. Juvenile Miscellaneous (JM).

(B) SUPERIOR COURT. The following case shall be filed solely in the Randolph Superior Court:

1. Criminal Misdemeanor (CM), unless part of multiple charges which include a felony being filed in Circuit Court;
2. Infraction (IF), unless part of multiple charges which include a felony being charged in Circuit Court;
3. Local Ordinance Violation (OV);
4. Exempted Ordinance Violation (OE);
5. Small Claims (SC); and

6. All Title 9 offenses, including homicide with a motor vehicle.

(C) All Class D Felonies shall be filed in Superior Court except the following which shall be filed in Circuit Court:

1. Neglect of a dependent and offenses against the family under I.C. 35-46-1-1 et. seq.;
2. Felony non-support, I.C. 35-46-1-5, when the underlying support order was issued by the Randolph Superior Court;
3. Welfare fraud, I.C. 35-43-5-7; and
4. Failure to Register as a Sex Offender, I.C. 5-2-12-9.

(D) Class A, B, and C Felonies shall be filed in the following manner, based upon the month of commission of the crime:

1. Charges for crimes committed in January, February, April, May, July, August, October, and November shall be filed in the Randolph Circuit Court.
2. Charges for crimes committed in March, June, September, and December shall be filed in the Randolph Superior Court.
3. If multiple offenses are charged in a single information, the month of the earliest charge shall be the month used to determine in which Court the charges will be filed.

(E) Once a case has been assigned in accordance with the provisions set out herein, the case cannot be assigned to another judge by dismissal and refiling if the second filing is based on the same underlying incident.

(F) In criminal cases, the case shall be assigned according to the highest class charge. Cases filed against other defendants arising out of the same fact situation which are joinable by law shall be filed in the same court.

(G) All other cases may be filed in either Court at the election of the filer.

(H) Per I.C. 33-29-1-9, the Judge of the Randolph Circuit Court, with consent of the Judge of the Randolph Superior Court, may transfer any action or proceeding from the Circuit Court to the Superior Court, and the Judge of the Randolph Superior Court, with consent of the Judge of the Randolph Circuit Court, may transfer any action or proceeding from the standard Superior Court to the Circuit Court.